

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

In Re:

Kevin Franklin
Heather Franklin

Case No.: 12-62206
Chapter: 13
Honorable: Steven Rhodes

Debtors

DEBTORS' FIRST PROPOSED PLAN MODIFICATION

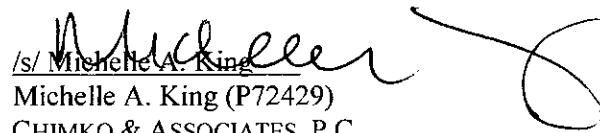
Debtors, by and through their attorneys, CHIMKO & ASSOCIATES, P.C. in support of their First Proposed Plan Modification, states as follows:

1. Debtors' case was filed on October 3, 2012, and confirmed on March 23, 2013.
2. Debtors missed plan payments which caused the Chapter 13 Trustee to file a Motion to Dismiss their case. Debtors thought that their ACH bank withdrawal would be started, but did not start due to the fact that debtors did not send in the appropriate paperwork to get that started. Debtors have now remitted all paperwork to get that initiated. Debtors understand that they are responsible for the missed plan payments, and intend to cure that delinquency. The current delinquency in plan payments is \$7,283.27.
3. Debtors received a 2012 income tax refund in the amount of \$623.00, yet only remitted an amount of \$450.00 to the Trustee. Debtors intend to remit the remaining \$173.00.
4. Debtors' missed plan payments have caused their plan to be underfunded at the current plan length of 40 months. Due to the fact that debtors wish to save their home which is being paid by the Trustee, debtors will seek to increase the length of their plan so that they can afford their monthly plan payments.
5. For the above reasons, debtors propose to decrease their plan payments to \$130.00 bi-weekly and \$1,126.00 monthly (please refer to recently filed Schedules I and J).
6. For the above reasons, debtors propose to extend the length of their plan to 60 months.
7. For the above reasons, debtors propose to extend the cure payment on their class four mortgage arrears to 60 months.
8. For the above reasons, debtors propose to cure a delinquency in the amount of \$7,283.27 by remitting additional funds throughout the remainder of their plan at the rate of \$137.42 monthly.
9. The proposed plan modification will have no impact on Classes One, Two, Three, , Five, Six, or Seven. Class Four will be impacted by extending the time it takes debtors to cure the pre-filing arrearages.

WHEREFORE, Debtors respectfully requests this honorable court grant their First Proposed Plan

Modification.

Dated: October 4, 2013


/s/ Michelle A. King
Michelle A. King (P72429)
CHIMKO & ASSOCIATES, P.C.
26212 Woodward Avenue
Royal Oak, MI 48067
(248) 284-1661
dmengel@chimkolaw.com

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

In Re:
Kevin Franklin
Heather Franklin
Address: 2457 Third Street, Trenton, MI 48183

Case No.: 12-62206
Chapter: 13
Honorable: Steven Rhodes

SSN: xxx-xx-4244
xxx-xx-4726

Debtors

NOTICE OF DEADLINE TO OBJECT TO PROPOSED CHAPTER 13 PLAN MODIFICATION

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

The deadline to file an objection to the attached proposed Chapter 13 plan modification is 21 days after service. Any objection must be filed with Court at:

United States Bankruptcy Court, 211 West Fort Street, Detroit, MI 48226

Your objection must be received by the Court on or before the date stated above. All attorneys are required to file pleadings electronically.

Objections to the attached proposed plan modification must also be served on the following:

Krispen Carroll, Chapter 13 Trustee, 719 Griswold, 1100 Dime Building, Detroit, MI 48226
CHIMKO & ASSOCIATES, P.C. 26212 Woodward Avenue, Royal Oak, MI 48067

If no timely objection is filed, the proponent of the plan modification may file a certificate of no objection and the modified plan will then become effective.

If a timely objection is filed and served, the clerk will set the matter for hearing and give notice of the hearing to the Debtor, the proponent of the plan modification, the Trustee and any objecting parties. In that event, the plan modification will become effective when the Court enters an order overruling or resolving all objections.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: October 4, 2013

/s/ Michelle A. King
Michelle A. King (P72429)
CHIMKO & ASSOCIATES, P.C.
26212 Woodward Avenue
Royal Oak, MI 48067
(248) 284-1661
dmengel@chimkolaw.com



13Network

WEIK & ASSOCIATES

Case Query

Enter Case Number, Name, Social Security Number, or @1st Address Line: 1262206

Go

Log Out Now

PROFILE | PARTIES | PAY SCHEDS | PAYEES | FINANCIALS | PLAN CALC 1 |

Recently Accessed Cases 12-622D6-SWR K

12-62206-SWR KEVIN JAMES FRANKLIN (xxx-xx-4244) 2457 THIRD STREET • TRENTON • MI • 48183 \$1,449.61 MO/		Bar Date(s): 2/14/2013 (has passed)
HEATHER MARIE FRANKLIN (xxx-xx-4726) 2457 THIRD STREET • TRENTON • MI • 48183 \$130.00 BW/		Confirmed: 3/23/2013
Print Inquiry	Trustee: Krispen S. Carroll	Case Status: OPEN/ACTIVE

The data on these pages has not been audited and is provided for general information only.

7 Month(s) since Confirmation UP = \$0.00 TPI = \$4,670.00 BOH = \$260.00

Line	Name	Claimed Amount	Mortgage Due	Coll / Value	Interest Rate	Monthly Payment	To Be Paid	Mo
ATTORNEY FEE								
1	CHIMKO & ASSOCIATES	\$800.00		\$800.00				\$800.00
2	ADDED CREDITOR							
OTHER ATTORNEY FEES								
3	ADDED CREDITOR							
OTHER PROFESSIONAL FEES								
4	ADDED CREDITOR							
DEBTOR REFUND								
5	KEVIN JAMES FRANKLIN							
ARREARAGE - MORTGAGE/LAND CONTRACT								
6	BANK OF AMERICA	\$1,165.88		\$1,165.88		\$22.00	\$1,165.88	52
7	ADDED CREDITOR							
ARREARAGE - VEHICLE								
8	ADDED CREDITOR							
ARREARAGE - OTHER								
9	ADDED CREDITOR							
CONT'G DEBT (USE IN PLAN CALC)								
10	ADDED CREDITOR							
11	ADDED CREDITOR							
CURR MTG								
12	BANK OF AMERICA					\$1,080.36	\$57,259.08	
13	BANK OF AMERICA	\$5,873.02		\$5,873.02			\$5,873.02	
14	ADDED CREDITOR							
15	ADDED CREDITOR							
EXEC CONTRACT - VEHICLE								
16	ADDED CREDITOR							
EXEC CONTRACT - NON-VEHICLE								
17	ADDED CREDITOR							
POST-PET/PRE-CONF MTG PYMTS								
18	ADDED CREDITOR							
19	ADDED CREDITOR							
PRIORITY								
20	INTERNAL REVENUE SERVICE	\$5,623.37		\$5,623.37			\$5,623.37	
21	ADDED CREDITOR							
22	ADDED CREDITOR							
DSO CREDITOR - ARREARAGE								
23	ADDED CREDITOR							
24	ADDED CREDITOR							
DSO CREDITOR - CONTINUING								
25	ADDED CREDITOR							
26	ADDED CREDITOR							
PROP TAX								
27	ADDED CREDITOR							
SECURED								
28	ADDED CREDITOR							
29	ADDED CREDITOR							
AUTOMOBILE								
30	ADDED CREDITOR							
EQUAL MONTHLY PAYMENT CREDITOR - VEHICLE								
31	ADDED CREDITOR							
32	ADDED CREDITOR							
EQUAL MONTHLY PAYMENT CREDITOR - NON-VEHICLE								
33	ADDED CREDITOR							
34	ADDED CREDITOR							
All Unsecured Creditors		Total Unsecured			Percent Allowed		Amount Allowed	
35		52215.34			D			

Change Line# 0

OK

Plan Terms 53

Calc

Unsecured % 0

Calc

Due to Creditors: \$1,166.52

\$74,837.41

In from Debtor: \$1,408.10

\$74,866.51

Restart

Trustee's % 5.5

Lump Sum \$ 260.00

Delete Line 0

OK

Debtor 1 Pay Schedules

Who's Paying	Amount	Schedule	Upd/Calc
KEVIN JAMES FRA	\$1,126.00	MONTHLY	\$?
KEVIN JAMES FRA	\$0.00	MONTHLY	\$?

Debtor 2 Pay Schedules

Who's Paying	Amount	Schedule	Upd/Calc
HOME DEPOT	\$130.00	BI-WEEKLY	\$?
HEATHER MARIE F	\$0.00	MDNTHLY	\$?

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

In Re:

Kevin Franklin
Heather Franklin

Case No.: 12-62206
Chapter: 13
Honorable: Steven Rhodes

Debtors

PROOF OF SERVICE

The undersigned hereby certifies that a copy of the following:

First Chapter 13 Post-Confirmation Plan Modification

was electronically served on the 4th day of October 2013, upon:

Krispen Carroll

was served via First Class Mail, pre-paid postage, on the 4th day of October 2013, addressed as follows:

All parties on the attached matrix.



/s/ Dawn M. Engel

CHIMKO & ASSOCIATES, P.C.

Dawn M. Engel, Legal Assistant

26212 Woodward Avenue

Royal Oak, MI 48067

(248) 284-1661

dmengel@chimkolaw.com

Label Matrix for local noticing
0645-2
Case 12-62206-sw
Eastern District of Michigan
Detroit
Fri Oct 4 12:45:31 EDT 2013

Ascendant MDX, Inc.
P.O. Box 674425
Detroit, MI 48267-4425

AFNI, Inc.
1310 Martin Luther King Drive
P.O. Box 3517
Bloomington, IL 61702-3517

AT & T Mobility
5020 Ash Grove Road
Springfield, IL 62711-6329

Bill Me Later
P.O. Box 105658
Atlanta, GA 30348-5658

Bank of America Home Loans
P.O. Box 5170
Simi Valley, CA 93062-5170

Bank of America, N.A.
P.O. Box 660933
Dallas, TX 75266-0933

Convergent Outsourcing, Inc.
10750 Hammerly Blvd.
#200
Houston, TX 77043-2317

Credit Services of Michigan, Inc.
P.O. Box 6428
Saginaw, MI 48608-6428

Danbury Mint
47 Richards Ave
Norwalk, CT 06857-0001

Downriver Obstetrics and Gynecology
1651 Kingsway Court
Suite A
Trenton, MI 48183-1959

Downriver Pediatric Associates
23050 West Road
Suite #110
Brownstown Township, MI 48183-1470

GE Money Bank - Lowe's
Attn: Bankruptcy Department
P.O. Box 103104
Roswell, GA 30076-9104

Genpact Services LLC
P.O. Box 1969
Southgate, MI 48195-0969

HPC
Attn: Research
P.O. Box 1231
Brandon, FL 33509-1231

HOUSEHOLD FINANCE CORPORATION III
636 GRAND REGENCY BLVD
BRANDON, FL 33510-3942

Henry Ford Wyandotte Hospital
2333 Biddle Avenue
Wyandotte, MI 48192-4668

Henry Ford Wyandotte Hospital
P.O. Box 1799
Colorado Springs, CO 80901-1799

Henry Ford Health System
Attn: Customer Service
P.O. Box 339
Troy, MI 48099-0339

Henry Ford Pathology
P.O. Box 673835
Detroit, MI 48267-3835

Henry Ford Wyandotte Hosp
c/o Creditors Bankruptcy Service
P.O. Box 740933
Dallas, TX 75374-0933

Henry Ford Wyandotte Hospital CRNA
2333 Biddle
Wyandotte, MI 48192-4668

IVF Michigan / Ann Arbor Reproductive
3145 W. Clark Road
Suite 301
Ypsilanti, MI 48197-1120

InSolve Recovery, LLC, c/o Capital Recovery
Dept 3203
PO BOX 123203
DALLAS, TX 75312-3203

Internal Revenue Service
Department of Treasury
Centralized Insolvency Operation
P.O. Box 7346
Philadelphia, PA 19101-7346

Jonathan W. Ayers MD
3145 Clark Road
Suite 301
Ypsilanti, MI 48197-1120

Karen Samples DO
3290 West Road
Trenton, MI 48183-2322

MBI, Inc.
47 Richards Ave
Norwalk, CT 06857-0001

Medical Financial Solutions
P.O. Box 50868
Kalamazoo, MI 49005-0868

Metropolitan Anesthesia Consultant
P.O. Box 67000
Dept. 165501
Detroit, MI 48267-1655

Oakwood Hospital
18101 Oakwood Blvd.
Dearborn, MI 48124-4095

Paypal Inc.
Convergent Outsourcing, Inc.
10750 Hammerly Blvd.
#200
Houston, TX 77043-2317

(p) PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Quantum3 Group LLC as agent for
MOMA Funding LLC
PO Box 788
Kirkland, WA 98083-0788

Receivables Performance Management, LLC
1930 220th St. SE
Suite 101
Bothell, WA 98021-8410

Sprint PCS
P.O. Box 8077
London, KY 40742-8077

TD Auto Finance LLC
4285 Genesee Street
Buffalo, NY 14225-1943

The Detroit News
615 W. Lafayette
Detroit, MI 48226-3197

U.S. Attorney
Attn. Civil Division
211 W. Fort St.
Suite 2300
Detroit, MI 48226-3269

Heather Marie Franklin
2457 Third Street
Trenton, MI 48183-2719

Kevin James Franklin
2457 Third Street
Trenton, MI 48183-2719

(
No:

.ti:
a:

/h:

le